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Notice of Allowability	Application No.	Applicant(s)	
	10/803,388	MORIOKA, SHIMPEI	
	Examiner Jerry Martin Blevins	Art Unit 2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the application filed 3/16/2004

2. The allowed claim(s) is/are 1-6.

3. The drawings filed on 16 March 2004 are accepted by the Examiner.

4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 05/12/2004
- 4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
- 5. Notice of Informal Patent Application (PTO-152)
- 6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

Brian Healy
Primary Examiner

DETAILED ACTION

Allowable Subject Matter

Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the closest prior art of record, US Patent to Takizawa, number 5,687,270, teaches an optical module (Figure 10) comprising: a holder (26-4) having a photoelectric transfer element package mounting hole for mounting therein a photoelectric transfer element package which houses therein a photoelectric transfer element (photodetector 10, for carrying out photoelectric transfer operations, column 2, lines 43 and 44), and an optical fiber mounting hole for mounting therein an optical fiber and a ferrule (not shown in figure, column 6, line 55), the photoelectric transfer element package mounting hole being arranged on one side of the holder in axial directions thereof, and the optical fiber mounting hole being arranged on the other side of the holder in axial directions thereof (see Figure 10 for the position of the transfer element, and column 6, lines 54 and 55, for the position of the fiber); and a lens (66), arranged between the photoelectric transfer element package mounting hole and the optical fiber mounting hole in the holder (column 6, lines 51-57), for causing the photoelectric transfer element to be optically coupled with the optical fiber

(column 6, lines 51-57), wherein the holder and the lens are formed of a resin material (42) so as to be integrated with each other.(column 6, lines 60-63).

However, Takizawa does not teach a light-quantity damping means for damping the quantity of light, which is emitted from the photoelectric transfer element, before the light enters the optical fiber. Furthermore, Takizawa does not teach that the holder and lens are integrated with a light-quantity damping means.

Still regarding independent claim 1, the other prior art of record, US Patent to Sasaki, number 6,792,181, teaches an optical module (Figure 17) comprising: a holder having a photoelectric transfer element package mounting hole for mounting therein a photoelectric transfer element package which houses therein a photoelectric transfer element (7), and an optical fiber mounting hole for mounting therein an optical fiber (44) and a ferrule (43), the photoelectric transfer element package mounting hole being arranged on one side of the holder in axial directions thereof, and the optical fiber mounting hole being arranged on the other side of the holder in axial directions thereof (Figure 17); and a lens (present but unlabeled in Figure 17, element 8 in Figure 12, 15, and 16), arranged between the photoelectric transfer element package mounting hole and the optical fiber mounting hole in the holder (Figure 17), for causing the photoelectric transfer element to be optically coupled with the optical fiber. Sasaki also teaches that the optical module comprises a diffraction grating (10).

However, Sasaki does not teach that the diffraction grating is used as a light-quantity damping means, but rather for multiplexing purposes. Furthermore, Sasaki

does not teach that the holder, the lens, and the diffraction grating are formed of a resin material so as to be integrated with each other.

For the above reasons, Takizawa, either alone or in combination with Sasaki, does not disclose nor render obvious the claim to an optical module comprising a holder (for mounting a photoelectric transfer element and an optical fiber and ferrule), a lens, and light-quantity damping means formed of a resin material so as to be integrated with each other.

Claims 2-6 are allowed based on their dependence on allowed base claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached at 571-272-2415. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMB



Brian Healy
Primary Examiner